

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2012 APR -4 PM 4: 34
CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARCHIE JAMAR JENKINS,

Defendant.

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CRIMINAL NO. _____

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INFORMATION

[Vio: 18 U.S.C. § 371 – Conspiracy]

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

**Conspiracy to Commit Bank Fraud
[18 U.S.C. § 371 (involving 18 U.S.C. § 1344)]**

Beginning at least as early as November 2010 and continuing until in or about July 2011, in the Western District of Texas and elsewhere, the Defendant,

ARCHIE JAMAR JENKINS

did unlawfully, knowingly, and willfully combine, conspire, confederate, and agree with one or more persons known and unknown to commit an offense against the United States, namely, to knowingly execute and attempt to execute a scheme and artifice (1) to defraud a financial institution, and (2) to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, by means of false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

It was a purpose and object of the conspiracy to defraud financial institutions and to obtain

moneys and funds belonging to and under the custody and control of such institutions by conducting false and fraudulent deposit transactions and making cash withdrawals based on those false and fraudulent deposits.

It was part of the conspiracy that the Defendant opened and caused to be opened bank accounts and obtained access devices for those account that bank deposit be used to make false and fraudulent bank deposits and conduct fraudulent cash withdrawals. The Defendant recruited one or more persons to open bank accounts and to provide the Defendant with access devices for those accounts.

It was part of the conspiracy that the Defendant and others would engage in fraudulent “empty-envelope” bank deposit transactions via automated teller machines (ATMs). In such transactions, the Defendant and others would use a debit card to access the designated bank account, fill out one or more deposit envelopes, and key in the purported deposits to the bank account, but included no cash, checks, or other negotiable instrument in the deposit envelopes that were subsequently placed in the ATM. The bank would credit the account based on the keyed-in information and, by law, make a certain amount of cash available for withdrawal no later than the next business day. On the next business day, the Defendant and others would use one or more ATMs to withdraw and obtain cash from the bank account.

It was part of the conspiracy that the Defendant and others used and cashed counterfeit checks to obtain money and funds from financial institutions by fraud.

OVERT ACTS

In order to effect the purpose and object of the conspiracy, the Defendant committed, caused to be committed, and aided and abetted the commission of the following overt acts in the Western District of Texas and elsewhere:

1. On or about November 29, 2011, the Defendant opened and caused to be opened a bank account in the name of Ronald Dewayne Henry at a Wells Fargo Bank in Round Rock, Texas (the Henry WF Account). The paperwork and access device (debit card) relating to the account was ultimately delivered to the Defendant. On or about November 30, 2011, the Defendant made and caused to be made 38 "empty envelope" bank deposits were made into the Henry bank account.

2. On or about November 30, 2011, the Defendant made purchases totalling approximately \$1984.00 at a Walmart in Round Rock, Texas, using an access device associated with the Henry WF Account.

3. On or about March 16, 2011, the Defendant opened and caused to be opened one or more bank accounts in the name of Zachary Humphries at one or more branches of Capital One Bank, Wells Fargo Bank, and Bank of America in Austin, Texas (Humphries Bank Account(s)). The paperwork and access device (debit card) relating to the account was ultimately delivered to the Defendant.

4. On or about March 16, 2011, the Defendant deposited a fraudulent check in the amount of \$1650.00 into one of the Humphries Bank Accounts.

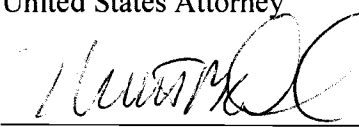
5. From in or about November 2011 until July 2011, the Defendant opened and caused to be opened bank accounts at one or more branches of Wells Fargo Bank in the Austin,

Texas, area, in the names of other persons, and used debit cards associated with those accounts to make false and fraudulent deposits, cash withdrawals, and/or retail purchases.

All in violation of Title 18, United States Code, Section 371.

ROBERT PITMAN
United States Attorney

By:



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